

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

1. STATE OF OKLAHOMA, ex rel.)
W. A. DREW EDMONDSON, in his capacity as)
ATTORNEY GENERAL OF THE STATE OF)
OKLAHOMA and OKLAHOMA SECRETARY)
OF THE ENVIRONMENT C. MILES TOLBERT,)
in his capacity as the TRUSTEE FOR NATURAL)
RESOURCES FOR THE STATE OF OKLAHOMA,)
Plaintiff,)
vs.) 05-CV-0329 TCK-SAJ
1. TYSON FOODS, INC.,)
2. TYSON POULTRY, INC.,)
3. TYSON CHICKEN, INC.,)
4. COBB-VANTRESS, INC.,)
5. AVIAGEN, INC.,)
6. CAL-MAINE FOODS, INC.,)
7. CAL-MAINE FARMS, INC.,)
8. CARGILL, INC.,)
9. CARGILL TURKEY PRODUCTION, LLC,)
10. GEORGE'S, INC.,)
11. GEORGE'S FARMS, INC.,)
12. PETERSON FARMS, INC.,)
13. SIMMONS FOODS, INC., and)
14. WILLOW BROOK FOODS, INC.,)
Defendants.)
CARGILL TURKEY PRODUCTION, LLC,)
Third Party Plaintiff,)
v.)
CITY OF WATTS and CITY OF TAHLEQUAH,)
Third Party Defendant.)

**DEFENDANT/THIRD PARTY PLAINTIFF CARGILL, INC.
AND CARGILL TURKEY PRODUCTION, LLC'S
MOTION TO WITHDRAW JOHN F. JESKE AS COUNSEL OF RECORD**

Defendant/Third Party Plaintiff, Cargill, Inc. and Cargill Turkey Production, L.L.C. (“Cargill”), respectfully requests that this Court enter an Order withdrawing John F. Jeske as their counsel of record. In support of their Motion, Cargill hereby states:

1. Delmar R. Ehrich and John F. Jeske, of the law firm Faegre & Benson, LLP, were admitted to practice *pro hac vice* and entered their appearances for Cargill in this case.
2. John F. Jeske is no longer employed by Faegre & Benson, LLP. Cargill will continue to be represented by counsel John H. Tucker, Colin H. Tucker, Theresa Noble Hill of the law firm of Rhodes, Hieronymus, Jones, Tucker & Gable, PLLC, and Delmar R. Ehrich of the law firm of Faegre & Benson, LLP.
3. Cargill is aware of this Motion, and they have no objection to John F. Jeske withdrawing as their counsel.
4. Accordingly, Cargill hereby requests that John F. Jeske be allowed to withdraw as counsel of record for Cargill.

WHEREFORE, Cargill respectfully requests that this Court enter an order allowing and recognizing the withdrawal of John F. Jeske as counsel of record for Cargill, and relieving John F. Jeske of any further obligation to represent Cargill in this action.

Respectfully submitted,

RHODES, HIERONYMUS, JONES,
TUCKER & GABLE, PLLC

BY: s/ John H. Tucker
JOHN H. TUCKER, OBA #9110
COLIN H. TUCKER, OBA #16325
THERESA NOBLE HILL, OBA #19119
100 W. Fifth Street, Suite 400 (74103-4287)
P.O. Box 21100

Tulsa, Oklahoma 74121-1100

Telephone: 918/582-1173

Facsimile: 918/592-3390

ATTORNEYS FOR DEFENDANTS, CARGILL, INC.

AND CARGILL TURKEY PRODUCTION, LLC

CERTIFICATE OF SERVICE

I certify that on the 28th day of February, 2006, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

COUNSEL FOR PLAINTIFFS:

W.A. Drew Edmondson, OBA #2628

drew_edmondson@oag.state.ok.us;

suzy_thrash@oag.stat.ok.us

2300 North Lincoln Boulevard, Suite 112

Oklahoma City, OK 73105

and

M. David Riggs, OBA #7583

driggs@riggsabney.com

Richard T. Garren, OBA #3253

rgarren@riggsabney.com

Sharon K. Weaver, OBA #19010

sweaver@riggsabney.com

Douglas A. Wilson, OBA #13128

doug_wilson@riggsabney.com

Riggs Abney Neal Turpen Orbison & Lewis

502 W. 6th Street

P.O. Box 1046

Tulsa, OK 74101

and

Robert A. Nance, OBA #6581

rnance@ribbsabney.com

D. Sharon Gentry, OBA #15641

sgentry@riggsabney.com

Riggs Abney Neal Turpen Orbison & Lewis

5801 Broadway Extension, Suite 101

Oklahoma City, OK 73118

and

Louis W. Bullock, OBA #1305

lbullock@mkblaw.net

J. Randall Miller, OBA #6214

rmiller@mkblaw.net

David P. Page, OBA #6852

davidpage@mkblaw.net

Miller, Keffer & Bullock, PC

222 South Kenosha

Tulsa, OK 74120

COUNSEL FOR PETERSON FARMS, INC.:

A. Scott McDaniel, OBA #16460
smcdaniel@jpm-law.com
Chris A. Paul, OBA #14416
cpaul@jpm-law.com
Nicole M. Longwell, OBA #18771
nlongwell@jpm-law.com
Philip D. Hixon, OBA #19121
phixon@jpm-law.com
Martin A. Brown, OBA #18660
mbrown@jpm-law.com
Joyce, Paul & McDaniel, PC
1717 South Boulder Ave., Suite 200
Tulsa, OK 74119

COUNSEL FOR TYSON FOODS, INC.;
TYSON POULTRY, INC.; TYSON
CHICKEN, INC.; AND COBB-VANTRESS,
INC.:

Patrick M. Ryan, OBA #7864
pryan@ryanwhaley.com
Stephen L. Jantzen, OBA #16247
sjantzen@ryanwhaley.com
Ryan, Whaley & Coldiron, PC
119 N. Robinson
900 Robinson Renaissance
Oklahoma City, OK 73102

COUNSEL FOR WILLOW BROOK FOODS,
INC.:

R. Thomas Lay, OBA #5297
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
rtl@kiralaw.com

I also hereby certify that I served the attached document by United States Postal Service, proper postage paid, on the following who are not registered participants of the ECF System:

Elizabeth C. Ward
Frederick C. Baker
Motley Rice LLC
28 Bridgeside Blvd.
Mount Pleasant, SC 29464

and
William H. Narwold
Motley Rice LLC
20 Church St., 17th Floor
Hartford, CT 06103

and
C. Miles Tolbert
Secretary of the Environment
State of Oklahoma
3800 North Classen
Oklahoma City, OK 73118

s/ John H. Tucker